

11 BROADWAY LAW

Fax: 646-964-9645

Aug 8 2008 10:29am P002/002

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKSTACEY CHERNY, An Individual, On His
Own Behalf, and On Behalf Of All Similarly
Situated,

Plaintiff,

-against-

EMIGRANT BANK, A New York State
Chartered Savings Bank, and DOES 1 to 100,
Persons Unknown,

Defendants.

08-CV-05359 (VM)

STIPULATION
EXTENDING PLAINTIFF'S
TIME TO RESPOND TO
DEFENDANT'S MOTION TO
DISMISS AND DEFENDANTS
TIME TO REPLY

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through their undersigned counsel, that Plaintiff's time to respond to Defendant's Motion to Dismiss is extended up to and including September 5, 2008. Defendant's time to reply to the opposition to the Motion to Dismiss is extended up to and including September 23, 2008.

This stipulation may be executed in facsimile counterparts each of which shall constitute an original and may be submitted to the Court.

Dated: New York, New York
August 8, 2008

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SO ORDERED:

U.S.D.J.

Richard R. [Signature]
8/12/08 Part I